

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 3/15/2023
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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

WEE CARE NANNY AGENCY, LLC,

Plaintiff,

-against-

WEECARE, Inc.,

Defendant.

Civil Action No. 1:23-cv-02117-AT

ORDER TO SHOW CAUSE

**ORDER TO SHOW CAUSE FOR ENTRY OF TEMPORARY
RESTRAINING ORDER AND PRELIMINARY INJUNCTION AGAINST
DEFENDANT WEECARE, INC.**

WHEREAS, the Court, having considered Plaintiff Wee Care Nanny Agency, LLC's ("Plaintiff" or "WEE CARE NANNY") Verified Complaint and Memorandum of Law in Support of Plaintiff's *Ex Parte* Motion for Entry of Temporary Restraining Order and Motion for Preliminary Injunction against Defendant Weecare, Inc. ("Defendant" or "WEECARE"), together with the supporting Declarations of Marc Lenex and Chintan Desai, as well as the record and proceedings to date in the above-captioned action.

IT IS HEREBY ORDERED that Plaintiff's Motion for Entry of Temporary Restraining Order and Motion for Preliminary Injunction are **GRANTED** in their entirety. It is hereby further **ORDERED** that:

1. Defendant appear before The Honorable Analisa Torres, District Judge, United States District Court for the Southern District of New York, on **April 4, 2023**, at **1:00 pm**, in the United States Courthouse, 500 Pearl Street, New York, New York 10007, and show cause (the "Show Cause Hearing") as to why the Court should not enter an Order, pursuant to Fed. R. Civ. P. 65(a), that:

a. Preliminarily enjoins Defendant, its agents, servants, employees, officers and all persons and entities in active concert and participation with them from using the WEECARE mark and any other word, name, symbol, device, or combination thereof that is confusingly similar to Plaintiff's WEECARE NANNY mark for, on, and/or in connection with the manufacture, distribution, advertising, promoting, offering for sale, and/or sale of any goods or services for placing nannies and babysitters for childcare and educators for children in the home, during the pendency of this action, and


b. Preliminary enjoins Defendant, its agents, servants, employees, officers and all persons and entities in active concert and participation with them from engaging in any false, misleading, and/or deceptive conduct in connection with Plaintiff and its goods and services, including, without limitation, representing itself as being an authorized distributor, vendor, agent, representative, retailer, and/or licensee of Plaintiff and/or any of Plaintiff's goods and services, including, without limitation, Plaintiff's services for placing nannies and babysitters for childcare and educators for children in the home, during the pendency of this action; and falsely representing to have an association or affiliation with, sponsorship by, and/or connection with, Plaintiff and/or any of Plaintiff's goods and services, including, without limitation, Plaintiff's services for placing nannies and babysitters for childcare and educators for children in the home, during the pendency of this action.

2. Sufficient reason having been shown therefor, from the date of this Order, through and including the date of the Show Cause Hearing, Defendant, its agents, servants, employees, officers and all persons and entities in active concert and participation with them, are hereby temporarily restrained, pursuant to Fed. R. Civ. P. 65(b), from engaging in any of the acts and/or conduct described in Paragraphs 1(a) and 1(b) of this Order.

3. Pursuant to this Court's equitable powers and discretion, Plaintiff is not required to post a bond.

4. Plaintiff and/or its authorized representative(s) must serve a copy of this Order, together with Plaintiff's Memorandum of Law in Support of Plaintiff's *Ex Parte* Motion for Entry of Temporary Restraining Order and Motion for Preliminary Injunction and supporting Declarations of Marc Lenes and Chintan Desai on Defendant and/or Defendant's registered agent via personal service and First Class Mail at 12130 Millenium Drive, Suite 03-127, Los Angeles, California 90094, on or before **March 22, 2023 at 5:00 pm.** The foregoing shall constitute proper service and notice of this Order.

SO ORDERED this 15 day of March 2023.
New York, New York



ANALISA TORRES
United States District Judge